LaRussa v. Twitter Inc. Doc. 137 Att. 23

EXHIBIT V-12

Scott R. Mosko (State Bar No. 106070) FINNEGAN, HENDERSON, FARABOW, 1 2006 MAY 24 PM 5: 11 GARRETT & DUNNER, L.L.P. Stanford Research Park 3300 Hillview Avenue 3 Palo Alto, California 94304 (650) 849-6600 Telephone: Facsimile: (650) 849-6666 L. HA 5 Attorneys for Defendants 6 Cameron Winklevoss, Tyler Winklevoss, Howard Winklevoss, 7 and Divya Narendra 8 SUPERIOR COURT OF THE STATE OF CALIFORNIA 9 COUNTY OF SANTA CLARA 10 11 CASE NO. 105 CV 047381 THE FACEBOOK, INC. 12 SUPPLEMENTAL DECLARATION OF Plaintiff, DIVYA NARENDRA IN SUPPORT OF 13 **DEFENDANTS' REPLY TO** OPPOSITION TO MOTION TO QUASH 14 SERVICE OF COMPLAINT AND CONNECTU LLC, CAMERON WINKLEVOSS, TYLER WINKLEVOSS, HOWARD 15 SUMMONS FOR LACK OF PERSONAL WINKLEVOSS, DIVYA NARENDRA, AND JURISDICTION 16 DOES 1-25. June 1, 2006 Date: 9:00 a.m. Time: 17 Defendants. Dept. William J. Elfving 18 Judge: 19 20 21 22 23 24 25 26 27

28

Doc. No. 442371

1. During the late spring and early summer of 2004, I accessed the facebook.com website on various occasions. I used the access information, i.e. the email account and passwords either voluntarily provided to me by various friends and acquaintances who were already registered users of the facebook.com, or provided to me by Cameron Winklevoss. Each of these people who provided to me their access information authorized me to logon to the facebook.com. Cameron Winklevoss told me each of the people who provided him their access information knew he might be sharing this with me.

2. After logging onto the facebook.com, I was able to see the email addresses of other

- 2. After logging onto thefacebook.com, I was able to see the email addresses of other Facebook users. These email addresses were directly visible. There were no security features or other hindrances that I had to avoid in order to see these email addresses. I personally downloaded onto my computer some of these email addresses that I found on thefacebook.com. Substantially most if not all of these downloads occurred prior to the end of July, 2004.
- 3. Each time I met with Mark Zuckerberg, it was at or near the Harvard campus in Cambridge Massachusetts. To the extent I received email communication from Mark Zuckerberg, it was from his email account provided by Harvard University while we were both students at Harvard.
- 4. During the spring and early summer of 2004 when I downloaded email addresses from the facebook.com I did not understand that Mark Zuckerberg was in California. During this time I did not know that Mark Zuckerberg might create a corporation from which thefacebook.com site would be run. During this time, I did not know that any such corporation would be located in California.

I declare under penalty of perjury under the laws of the state of California that the foregoing is true and correct and that this declaration was executed on the 19 day of May, 2006.

Divya Narendra